

Water Use Restrictions - Ordinance Summary

The following water use restrictions were enacted by the Carlsbad Municipal Water District in December 2008 as part of a comprehensive water conservation program and drought response plan. The restrictions listed below are excerpts directly from the ordinance.

Water Waste Prohibitions - IN EFFECT AT ALL TIMES

1. Washing down impervious surfaces, including but not limited to sidewalks, driveways, parking lots, tennis courts, or patios with water from a pressurized source, such as a garden hose, except when it is necessary to alleviate safety or sanitation hazards. When used in this section impervious surface means any surface covered with non-porous material.
2. Water waste resulting from inefficient landscape irrigation, such as runoff, low head drainage, or overspray, etc. is prohibited. Water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures is prohibited.
3. Use a hand-held hose equipped with a positive shut-off nozzle or bucket to water landscaped areas, including trees and shrubs located on residential and commercial properties that are not irrigated by a landscape irrigation system.
4. Use re-circulated water to operate ornamental fountains.
5. Wash vehicles using a bucket and a hand-held hose with positive shut-off nozzle or a mobile high pressure/low volume wash system.
6. Serve and refill water in restaurants and other food service establishments only upon request.
7. Offer guests in hotels, motels, and other commercial lodging establishments the option of not laundering towels and linens daily.
8. Use recycled or non-potable water for construction purposes when available.
9. Single pass-through cooling systems as part of new water service connections will be prohibited. Non-recirculating systems in all new conveyer car wash and commercial laundry systems will also be prohibited.
10. The excess use, loss or escape of water through breaks, leaks or other, malfunctions in the water user's plumbing or distribution system for any period of time after such escape of water could have reasonably been discovered and corrected.

DROUGHT RESPONSE LEVEL 1 – DROUGHT WATCH CONDITION

During a Level 1 Drought Watch condition, CMWD will increase its public education and outreach efforts to emphasize increased public awareness of the need to implement the following water conservation practices.

1. Irrigate residential and commercial landscape before 10 a.m. and after 6 p.m. only.
2. Irrigate nursery and commercial grower's products before 10 a.m. and after 6 p.m. only. Watering is permitted at any time with a hand-held hose equipped with a positive shut-off nozzle, a bucket, or when a drip/micro-irrigation system/equipment is used. Irrigation of nursery propagation beds is permitted at any time. Watering of livestock is permitted at any time.
3. Repair all water leaks within five days of notification by the CMWD unless other arrangements are made with the General Manager or Designee.

DROUGHT RESPONSE LEVEL 2 – DROUGHT ALERT CONDITION

All persons using Carlsbad Municipal Water District water shall comply with Level 1 Drought Watch water conservation practices during a Level 2 Drought Alert, and shall also comply with the following additional conservation measures:

1. Limit residential and commercial landscape irrigation to no more than three assigned days per week from June through October on a schedule established by the General Manager and posted by the CMWD.

The established watering schedule for this period is the following.

- Homes with odd-numbered addresses: Sunday, Tuesday & Thursday
- Homes with even-numbered addresses: Saturday, Monday & Wednesday
- Apartments, condos and businesses: Monday, Wednesday & Friday

During the months of November through May, landscape irrigation is limited to no more than once per week on a schedule established by the General Manager and posted by the CMWD. This section shall not apply to commercial growers or nurseries.

2. Limit lawn watering and landscape irrigation using sprinklers to no more than 10 minutes per watering station per assigned day. This provision does not apply to landscape irrigation systems using water efficient devices, including but not limited to: weather based controllers, drip/micro-irrigation systems and stream rotor sprinklers.
3. Water landscaped areas, including trees and shrubs located on residential and commercial properties, and not irrigated by a landscape irrigation system governed by

measure #1, on the same schedule set forth in measure #1, by using a bucket, hand-held hose with positive shut-off nozzle, or low-volume non-spray irrigation.

4. Repair all leaks within 72 hours of notification by the CMWD unless other arrangements are made with the General Manager or Designee.

5. Stop operating ornamental fountains or similar decorative water features unless recycled water is used.

DROUGHT RESPONSE LEVEL 3 – DROUGHT CRITICAL CONDITION

All persons using Carlsbad Municipal Water District water shall comply with Level 1 Drought Watch and Level 2 Drought Alert water conservation practices during a Level 3 Drought Critical condition and shall also comply with the following additional mandatory conservation measures:

1. Limit residential and commercial landscape irrigation to no more than two assigned days per week on a schedule established by the General Manager and posted by the CMWD. During the months of November through May, landscape irrigation is limited to no more than once per week on a schedule established by the General Manager and posted by the CMWD.

2. Limit lawn watering and landscape irrigation using sprinklers to no more than 10 minutes per watering station per assigned day. This section shall not apply to commercial growers or nurseries.

3. Water landscaped areas, including trees and shrubs located on residential and commercial properties, and not irrigated by a landscape irrigation system governed by measure #1, on the same schedule set forth in measure #1 by using a bucket, hand-held hose with a positive shut-off nozzle, or low-volume non-spray irrigation.

4. Stop filling or re-filling ornamental lakes or ponds, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to declaration of a drought response level under this ordinance.

5. Stop washing vehicles except at commercial car washes that re-circulate water, or by high pressure/low volume wash systems.

6. Repair all leaks within 48 hours of notification by the CMWD unless other arrangements are made with the General Manager or Designee.

Upon the declaration of a Drought Response Level 3 condition, no new potable water service shall be provided, no new temporary meters or permanent meters shall be provided, and no

statements of immediate ability to serve or provide potable water service (such as will serve letters, certificates, or letters of availability) shall be issued, except under the following circumstances:

1. A valid, unexpired building permit has been issued for the project; or
2. The project is necessary to protect the public's health, safety, and welfare; or
3. The applicant provides substantial evidence of an enforceable commitment that water demands for the project will be offset prior to the provision of a new water meter(s).

This provision shall not be construed to preclude the resetting or turn-on of meters to provide continuation of water service or to restore service that has been interrupted for a period of one year or less.

Upon the declaration of a Drought Response Level 3 condition, the Board of Directors of CMWD will suspend consideration of annexations to its service area.

The Board of Directors of CMWD may establish a water allocation for property served by the CMWD taking into consideration a method that does not penalize persons for the implementation of conservation methods or the installation of water saving devices. If the Board of Directors of CMWD establishes a water allocation notice of the allocation shall be provided by including it in the regular billing statement for the fee or charge or by any other mailing to the address to which the CMWD customarily mails the billing statement for fees or charges for on-going water service. Following the effective date of the water allocation as established by the Board of Directors of CMWD, any person that uses water in excess of the allocation shall be subject to a penalty in the amount equal to the penalty rate established by the Metropolitan Water District for each billing unit of water in excess of the allocation. The penalty for excess water usage shall be cumulative to any other remedy or penalty that may be imposed for violation of this ordinance.

DROUGHT RESPONSE LEVEL 4 – DROUGHT EMERGENCY CONDITION

All persons using CMWD water shall comply with conservation measures required during Level 1 Drought Watch, Level 2 Drought Alert, and Level 3 Drought Critical conditions and shall also comply with the following additional mandatory conservation measures:

1. Stop all landscape irrigation, except crops and landscape products of commercial growers and nurseries. This restriction shall not apply to the following categories of use unless the CMWD has determined that recycled water is available and may be lawfully applied to the use.

- A. Maintenance of trees and shrubs that are watered on the same schedule set forth in measure #1 by using a bucket, hand-held hose with a positive shut-off nozzle, or low-volume non-spray irrigation;
- B. Maintenance of existing landscaping necessary for fire protection as specified by the Fire Marshal of the local fire protection agency having jurisdiction over the property to be irrigated;
- C. Maintenance of existing landscaping for erosion control;
- D. Maintenance of plant materials identified to be rare or essential to the well being of rare animals;
- E. Maintenance of landscaping within active public parks and playing fields, day care centers, school grounds, cemeteries, and golf course greens, provided that such irrigation does not exceed two days per week according to the schedule established under measure #1;
- F. Watering of livestock; and
- G. Public works projects and actively irrigated environmental mitigation projects.

2. Repair all water leaks within 24 hours of notification by the CMWD unless other arrangements are made with the General Manager or Designee.

3. The District may install a flow restricting device for services of up to 1-1/2 inch size and comparatively sized restrictors for larger services upon a prior determination that the customer has repeatedly violated the provisions of this Ordinance and that such action is reasonably necessary to assure compliance with this ordinance.

Any willful tampering with or removal of any flow restriction device may result in termination of service for a period to be determined in writing by the General Manager.

Prior to any restoration of service, the customer may pay all District charges for any restriction of service and its restoration as provided for in the District's rules governing water service.

The CMWD may establish a water allocation for property served by the CMWD. If the CMWD establishes a water allocation it shall provide notice of the allocation by including it in the regular billing statement for the fee or charge or by any other mailing to the address to which the CMWD customarily mails the billing statement for fees or charges for on-going water service. Following the effective date of the water allocation as established by the CMWD, any person that uses water in excess of the allocation shall be subject to a penalty in the amount equal to the penalty rate established by the Metropolitan Water District for each billing unit of

water in excess of the allocation. The penalty for excess water usage shall be cumulative to any other remedy or penalty that may be imposed for violation of this ordinance.